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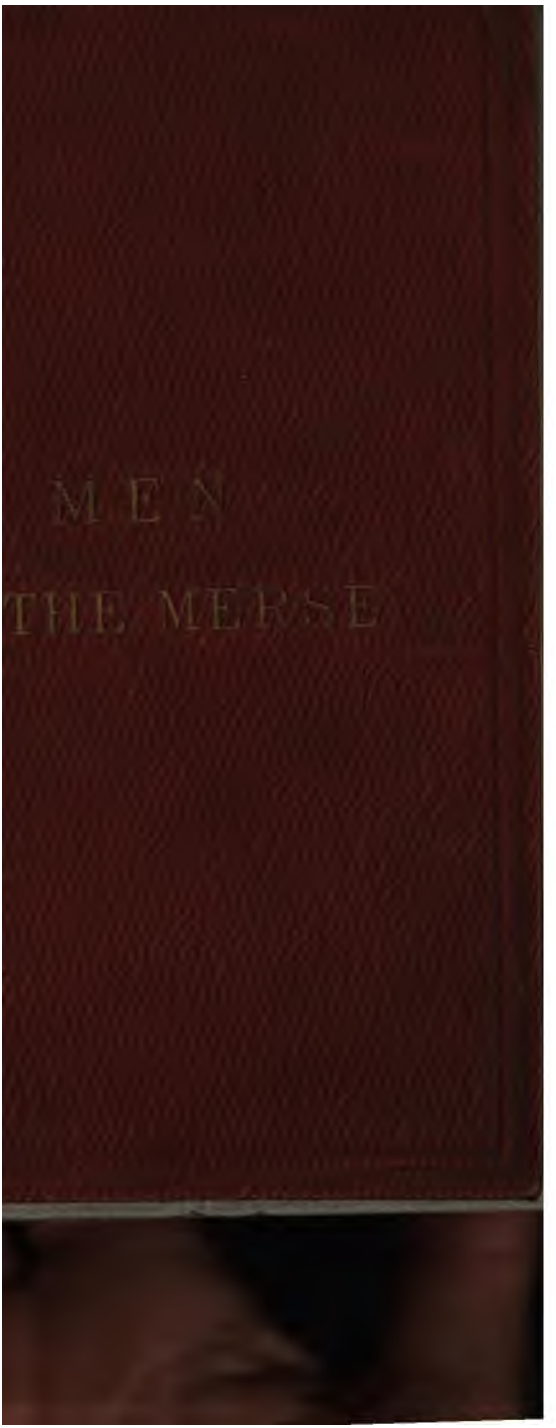
MEN
THE MERSE

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With the Author's Compts.

MEN OF THE MERSE

A LECTURE

BY

ARCHIBALD CAMPBELL SWINTON

YOUNGER OF KIMMERGHAME

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THE following Lecture is printed nearly in the form in which it was read to popular audiences, at Dunse on the 21st of April, and at Chirnside on the 23d of December, 1857. For the information of other than Berwickshire readers, it may be mentioned, that the name used in the Title for the whole County, is properly applicable to one division of it only, the other two being Lammermoor and Lauderdale.

MEN OF THE MERSE.

A RECENT writer in the *Quarterly Review** remarks, that "history should begin at home. If we want a boy to know some day the families of the Herods and the Cæsars, let him start by learning who was his own grandfather." The observation applies to others than schoolboys. I do not mean that biography should supersede history, or that, in the former study, the same attention should be bestowed on the life and times of each "Village Hampden," as on the characters and actions of those who have swayed the rod of empire,

"Or waked to ecstasy the living lyre."

* No. CCI., January 1857—Article 1, "On the History and Antiquities of Northamptonshire."

But the history of states and nations is made up of the histories of individual men and women. And an inquiry who the persons were, that, at different periods, have adorned the annals of our own town, or parish, or neighbourhood, can scarcely fail to be useful, were it but by increasing our interest in our native district, and thus stimulating that local attachment, which, however some may deride it as prejudiced and narrow-minded, is neither more nor less than patriotism on a small scale.

These considerations have guided me in the choice of my present subject. And I venture to hope that some interest may attach to the notices which I have been able to string together, of some of the more eminent characters, who have been connected by birth, property, or family ties, with the County of Berwick. My chief difficulty has been that of selection. For as the eye glances down the page of Scottish history, it is arrested by innumerable names, both of families and of individuals, more or less entitled to a place in the list of Berwickshire worthies. The ancestors of the royal Stuarts were allied by marriage with the Barons of Bunkle. The same broad acres, for

centuries the heritage of the noble family of Douglas, might add to our catalogue many a gallant knight who followed the standard of the Bloody Heart. The parish of Gordon, with its wood and water of Huntly, proclaims itself the Border cradle of a great northern house. The too famous Earl of Bothwell was Sheriff of Berwickshire. The brave but unfortunate son of James II. was Duke of Berwick. The great Marlborough was Baron Eyemouth. The Records of the Court of Session present us with no fewer than twenty-three Judges* connected with this county.

* EXTRAORDINARY LORDS: Archbishop Spottiswoode, 1610; John Maitland, afterwards Duke of Lauderdale, 1661; Richard, fourth Earl of Lauderdale, Lord Justice-General, 1681; Sir Patrick Home, Earl of Marchmont, afterwards Lord Chancellor, 1693. ORDINARY LORDS: Sir Richard Maitland of Lethington, 1561; William Maitland, younger of Lethington, 1566; John Maitland, Lord Thirlstane, 1568; John Viscount Lauderdale, 1618; Sir Robert Spottiswoode, Lord Newabbey, afterwards Lord President, 1626; Sir Alexander Belches, Lord Tofts, 1646; John Swinton of Swinton, Commissioner during the Commonwealth, 1652; Sir John Home of Renton, Lord Justice-Clerk, 1663; Charles Maitland, Lord Halton, afterwards Earl of Lauderdale, 1670; Sir Roger Hog, Lord Harcarse, 1677; Alexander Swinton, Lord Mersington, 1681; Sir David Home, Lord Crossrig, 1689; Sir John Maitland, Lord Ravelrig, afterwards Earl of Lauderdale, 1689; Sir Alexander Campbell, Lord Cessnock, afterwards Earl of Marchmont, 1704; Sir Andrew Home, Lord Kimmerghame, 1714; Henry Home, Lord Kames, 1752; George Carre, Lord Nisbet,

And without speculating on the likelihood of the Scottish ermine again descending on the shoulders of a son of the Merse, it is gratifying to know, that the last-appointed English Chief Justice, if elevated to the Peerage, will be entitled to signalise his family connexion with this neighbourhood by assuming the title of Lord Langton.*

Leaving these generalities, I come to individual instances of distinguished Mersemen. For

1755; John Swinton, Lord Swinton, 1782; David Douglas, Lord Reston, 1813. The last had no property in the county; but he was its sheriff for four years, and took his judicial title from a Berwickshire estate.

* The ancestor of all the Cockburns was Petrus de Cockburn in the reign of Alexander II., whose name appears before 1232 as witness to a donation to the monastery of Soltray. His great-grandson, Alexander Cockburn of that Ilk, acquired the lands of Langton by his marriage to Mariotta, daughter and heiress of Sir William de Vetreponte, and seems to have been succeeded in his original estate of Cockburn by one of his sons by a second marriage. The descendant of the first Cockburn of Langton was created a baronet by Charles I. in 1627, but afterwards sided with the Parliament against the king, and obtained an addition to his paternal acres by a grant of adjoining lands belonging to a Royalist kinsman. The estate of Langton, so augmented, continued in his descendants till 1757, when it was sold by Sir James Cockburn, the sixth baronet, to Mr Gavin, whose daughter became the first Marchioness of Breadalbane. The present representative of the Cockburn family is Sir William Cockburn, Dean of York, ninth baronet, whose nephew and presumptive heir is the Lord Chief Justice of the Common Pleas.

obvious reasons, the length of my notice will often be in the inverse ratio to the importance of its subject as an historical character; and I hope I shall not be considered too neglectful of the older traditions of our Border land, if I raise the curtain in the middle of the thirteenth century.

Any one who has attended the parish church of Earlston may have observed in the front wall a stone, understood to be a copy of a more ancient one destroyed in a drunken frolic some seventy years ago, and bearing the quaint inscription—

"Auld Rymer's race
Lies in this place."

At the west end of the village are also pointed out the ruins of a tower, said to have been the dwelling of the father, not only of Scottish, but, as will be presently seen, of English poetry. Considering that six centuries have passed away since the period when this bard flourished, it is not surprising that even his name should be the subject of a zealous dispute among antiquaries. In many biographical collections he is styled Thomas Learmont, while his popular

1219-1299.

designation as Thomas "the Rhymer" is attributed to his poetical propensities—just as whole families of Smiths and Taylors have derived their patronymic from the calling of their ancestors. Other authorities* maintain that Rymour was his family name; in support of which assertion they bring proof, that that was a known name in Berwickshire in the year 1296. And the poet's territorial appellation, as proprietor of a mount or hill at Ercildon, they hold to have grown into Laird of Ersilmount, and thence by a natural corruption into Lairsilmount, or Lairmont. Whatever was his name, he was undoubtedly a gentleman of condition—some say of knightly dignity. His wife is believed to have been a daughter of the Knight of Thirlstane, an ancestor of the noble house of Lauderdale; and among his familiars was the Earl of March, whose stronghold, the Earl's Tower, at the east end of the village, is said to have been the source of its modern name.

The only known work of Thomas the Rhymer is the metrical romance of *Sir Tristrem*, which was long supposed to have been lost. But a

* *Lives of Scottish Poets* (London, 1822), vol. i. p. 31.

copy having been discovered in a collection of MSS. belonging to the Faculty of Advocates, was published in 1804, with a critical introduction and notes by Sir Walter (then Mr) Scott. The story is of much higher antiquity than the bard of Ercildoune, and though relating to a British chieftain, was popular in France both before and after its narration by him. The hero's marvellous adventures; his skill in minstrelsy, the sports of the field, and all knightly games, including chess; his victories over ferocious giants and fiery dragons; and his guilty love—which, inspired by an accidental draught of a magical potion, is the source of all his misfortunes—may be most easily read in the argument which the admiring editor has prefixed to each Fytte or Canto of the poem. The poem itself derives its principal interest from the proof which it affords, that the English language, as a vehicle of literary composition, was cultivated in Scotland, at a period, when the tales of chivalry chanted in the halls of the kings and nobles of England, were composed in French; so that the long line of poets that adorn the annals of the now United Kingdom, may trace their de-

scent, not, as has been generally supposed, from Chaucer, but from a Berwickshire bard, who died a quarter of a century before Chaucer was born.

Nor is this the Rhymer's sole claim to distinction. The Romans designated by one word a poet and a prophet; and in all rude ages, a supernatural knowledge of future events has been among the attributes assigned to the votary of the Muses. But, if tradition is to be believed, none ever drank prophetical inspiration more directly from the fountain-head, than the bard of Ercildoune. It has been attempted to represent him as merely translating into verse the revelations of an inspired nun of a convent at Haddington. But the residence of "True Thomas" for seven years with the Queen of Elfland, forms an important incident in every record of his life; which, if not credited by Archbishop Spottiswoode, did not prevent that grave and learned historian from observing, that "whence or how he had this knowledge can hardly be affirmed, but sure it is that he did divine and answer truly of many things to come." It must be confessed, indeed, that modern criticism has

not been so tolerant to the Rhymer's prophetic fame. He is said to have foretold the death of Alexander III., by informing the Earl of March, that "to-morrow, before noon, should blow the greatest wind that ever was heard in Scotland." On this it has been irreverently observed,* that "Thomas presaged that the next day would be windy; the weather proved calm; but news arrived of the king's death by a fall from his horse, which gave an allegorical turn to the prediction, and saved the credit of the prophet." And the same writer draws attention to the circumstance, that some of the rhymes vulgarly ascribed to our poet are founded apparently on meteorological observation; adding that "doubtless, before the invention of barometers, a weather-wise prophet might be an important personage." A second prophecy of the Rhymer's is said to have related to the succession of Robert Bruce to the throne of Scotland; and the authority for it is to be found in Barbour's poem of "The Bruce."† A third is his alleged response to the Countess of March, the interpretation of

* Preface to *Sir Tristrem*, by Sir WALTER SCOTT.

† BARBOUR (Book ii., line 86) introduces "the Byschop of

which is still so much matter of dispute, that while Sir Walter Scott holds it to imply "that there should be no end of the Scottish war till a a final conquest of the country by England," a later authority* gives it a totally opposite meaning, as treating the subjugation of Scotland as an impossibility. But the most celebrated of the predictions usually ascribed to Thomas of Ercildoune, is that referring to the accession of James VI. to the English throne. It is thus quoted by my friend Professor Aytoun, in his poem of *Bothwell*. He is speaking of the ill-fated Darnley's suit to Queen Mary :—

"Not as a Prince of high estate
Came Darnley to the Queen;
His pride provoked the nobles' hate,
His folly stirred their spleen.
And fiercely blazed Elizabeth's wrath
Against the luckless pair,

Androwsetowne" after "the Brwyc the Cumyn had slayn," saying of the former—

"I hop Thomas prophecy
Off Hersildoune weryfyd be
In hym; for swa our Lord help me,
I haiff gret hop he sall be king,
And haiff this land all in leding."

* *Lives of Scottish Poets*, vol. i. p. 38.

For still the phantom in her path
Had been a Scottish heir;
And well she knew the ancient strain
That rings through Scotland free—
That the French Queen should bear the son
To rule all Britain to the sea,
And from the Bruce's blood should come
As near as in the ninth degree."

These last four lines, almost in this form, were undoubtedly known, and popularly quoted in Scotland, previous to the return of Mary from France, as a childless widow, and while, as Queen Elizabeth was but thirty years of age, there was no improbability that her crown should be transmitted in the direct line. This is proved by a complimentary poem, addressed to Queen Mary by Alexander Scot, sometimes termed the Scottish Anacreon, wherein occurs a passage, thus modernised by Professor Aytoun in one of the notes to *Bothwell*:—

"If saws be sooth to show thy celsitude,
What bairn should brook all Britain by the sea?
The prophecy expressly does conclude
The French wife of the Bruce's blood should be.
Thou art by line from him the ninth degree,
And was King Francis' party maik and peer;
So by descent the same should spring of thee,
By grace of God, against this good new year."

In so far, therefore, as it has ever been as-

conflict between the mob and the military, popularly termed the "Peterloo Massacre," and the death of George III. Since that time, however, the four coincidences have, I suspect, been of no unfrequent occurrence, in one part of Europe or another. Of still sterner import is the oracular saying,—

> "The Burn of Breid
> Shall run fou reid."

The "Burn of Breid" is held to be a synonym for "Bannock-burn," and its crimsoned waters to refer to the heroic fight, which, within twenty years after the death of the Rhymer, immortalised its banks.

The continued use of the same bannock, as the daily food of the labouring classes, to which the progress of agricultural improvement should add little, either in quantity or quality, is thus foretold:—

> "The waters shall wax, the wudds shall wene,
> Hill and moss shall be a' torn in,
> But the banno' 'll nae be the braider."

Again, the application of lime to fertilise the soil in Lauderdale, and the merely temporary

effect of that manure, are shadowed forth in the couplet—

> "There sall a stane wi' Leader come,
> That 'll mak a rich father, but a puir son."

A still more probable step in the march of civilisation in the same district was easily foreseen:—

> "At Eildon Tree if you shall be,
> A brig ow're Tweed you there may see."

The threefold fulfilment of this prediction—by the fact that no fewer than three bridges may now be seen from the elevated spot in question—may perhaps be held to compensate for the disappointment, as yet, of a part at least of the seer's patriotic anticipations of the glory of his country's capital:—

> "York was, London is, and Edinburgh 'll be
> The biggest and the bonniest of all the three."

The last of the Rhymer's prophecies to which I shall refer, is the well-known distich applicable to one of our oldest Berwickshire families:—

> "Betide—betide—whate'er betide,
> Haig shall be Haig of Bemerside."

The additional couplet, in the same strain,

reflecting, in no complimentary terms, on the intellectual characteristics of another Border house, is understood to be a political squib, certainly of no older date than towards the close of the last century. If it could be attributed to Thomas the Rhymer, its complete falsification in the present gallant representative of the house in question, would be a more fatal blow to the bard's prophetical character, than is the failure, in our own day, after seven hundred years and twenty generations, of a male head, in direct lineal descent, to the family of Bemerside.

Cotemporary with Thomas of Earlston lived John of Dunse, or, as he is commonly designated, Duns Scotus.* It is not here, or by me, that the honour of having given birth to this distinguished Philosopher, will be denied to our legal, if not our provincial capital. At the same time, it is but fair to state, that he is claimed as a native both of England and Ireland—of the former, as having been born at Dunstane, a village in Northumberland,—of the latter, on the ground that Scotia was the ancient name of the Emerald Isle, and that Scotus must therefore

* Born 1266 or 1274; died 1308.

have been an Irishman. The authority on which the pretensions of our southern neighbours are built, is a transcript of certain of the Philosopher's works, preserved in the library of Mertoun College, Oxford; while his Irish origin is advocated, and his birthplace asserted to be Down, anciently written Dun, in the north of Ireland, by one Wadding, his Irish biographer. But this evidence has not generally been held sufficient to overturn the older tradition, that Duns was a son of the Merse—a tradition to which the existence, not long ago, of lairds of Grueldykes bearing the same name, though the rules of the Church forbid us to consider them his descendants, affords additional countenance. I have called John of Dunse a distinguished Philosopher. And such undoubtedly he was, though of the twelve ponderous folios to which his works extend, few living men would care to read two consecutive pages. But the real eminence of an author may not unfairly be determined by the estimation in which he was held among those for whom he wrote. And whatever opinion may now be formed of the metaphysical discussions, with which the schoolmen of the dark ages

obscured and confounded the writings of Aristotle and the Holy Scriptures, there can be no doubt that, among their cotemporaries, they were regarded as

"Lights of the world, and demigods of fame."

The academical rewards which, in these our days, entitle a successful scholar, or an eminent theologian, to write after his name the letters M.A., LL.D., or D.D., are cold and tame when compared with the titles of "Sublime Doctor," "Seraphic Doctor," "Angelic Doctor," which greeted the triumphant disputants in the schools of mediæval philosophy. And a modern Professor might be excused, if he spoke with envy of the thirty thousand students, whom the learning and eloquence of Duns Scotus, the "Subtle Doctor," are said to have attracted to the University of Oxford.

The talents and acquirements which the Scotch Professor of Divinity turned to so good an account, are understood to have been first nurtured in a Franciscan monastery, either at Dumfries or Newcastle, though brought to maturity on the banks of the Isis. After occupying for three years the English chair, he was

removed by the General of his order, to Paris, and thence, four years afterwards, to Cologne, where his labours, as the founder of a new University, were interrupted by his death by apoplexy in the forty-third, or, according to others, the thirty-fifth year of his age. The special dogma of which he was the most distinguished, if not the earliest champion, was that touching the Immaculate Conception of the Virgin Mary. As if to prove that error is as enduring as truth, this doctrine has, within the last few years, been solemnly announced as an indispensable article of belief among all faithful subjects of the Pope; and a spirit of opposition to the Church's teaching on the point, was asserted as one of the motives, which nerved the arm of the assassin in the murder of the Archbishop of Paris, on the 3d of January 1857. Nor is this the only subject, in regard to which traces are to be found, in the present day, of the theological disputes which divided the schoolmen of the thirteenth century. For the conflicting tenets of Duns Scotus and Thomas Aquinas, on a question* little suited for discussion, or even announce-

1304.

Nov. 8, 1308.

* The efficacy of Divine grace.

ment, on such an occasion as the present, gave rise to the opposing sects of *Scotists* and *Thomists*, still boasting adherents in Continental churches. To the contempt with which the followers of Aquinas, the "Seraphic Doctor," came ultimately to regard the disciples of his "Subtle" rival, some philologists have attributed the derivation of the word "dunce," as implying a person of inferior parts or learning. The opprobrious epithet which is, or ought to be, the terror of modern schoolboys, is alleged by others to have been applied indiscriminately, after the revival of letters, to the adherents of the scholastic philosophy, in opposition to classical literature, of whom John of Dunse was taken as the representative. Either supposition would require for its establishment some evidence that, in other European languages, a name of similar etymology and import is used, to designate a man whose abilities or attainments are below those of his neighbours.

When the bones of Duns Scotus were laid beside those of the three kings at Cologne, important events were occurring at or near his native place. Dunse Castle, and the town

1308.

which clustered round its walls, became about this time the property and residence of Sir Thomas Randolph, Earl of Moray, well known as the nephew and companion-in-arms of Robert Bruce. The Earl's daughter, and in the year 1346 herself the owner of the town and castle of Dunse, was the heroic Countess of March, called, from her spirited and successful
1338. defence of the Castle of Dunbar against the English, Black Agnes of Dunbar. In the mean time, Dunse Park was the *rendezvous*, where Randolph, Patrick Earl of Dunbar and March, and Sir James Douglas, assembled, in 1318, the forces with which they succeeded in rescuing Berwick from the English. The occupation of the place for Edward I. had
1305. been disgraced, some years before, by the exhibition on the bridge of one of the mutilated limbs of Sir William Wallace, and the
1306. not less barbarous act of exposing in a wooden cage, on the castle-walls, the spirited Countess of Buchan, whose crime was having crowned King Robert at Scone. It does not fall within my theme to describe the varied scenes, of which Berwick was thereafter the

witness; such as the marriage of Bruce's son David to Johanna, daughter of Edward II. —followed within five years by the renewal of the war between the two kingdoms, the fatal battle of Halidon Hill, and the consequent annexation, by Baliol and his Parliament, of the town and county of Berwick to the English crown. Neither need I dwell on the struggles of the next hundred and fifty years, terminating, in 1482, in the treasonable intrigue of the Duke of Albany,* by which Berwick was lost for ever, not only to the district of which it had been the chief town, but to the kingdom of Scotland. For more than a century after this disastrous event, Berwickshire had no settled county town; though a certain pre-eminence among its burghs was bestowed on Dunse by royal charters in 1460, 1489, and 1546. Meanwhile Greenlaw, to which the dignity of head

1328.

1333.

* The English forces which Edward IV. sent in aid of Albany's designs were commanded by the king's brother, the well-known Richard duke of Gloucester. Chalmers (*Caledonia*, vol. ii. p. 272, *note*) quotes from *Hall's Chronicle* a list of the "towns" which the invading army burned in their "progress through the Merse to terrify and alarm. . . . Edrington, Paxton, Fiswick, Hutton, Mordington and its bastel, Edram, East Nisbet, Kellaw, and Kemergham, the two Swyntons and the bastel, Simprin, Crossrig, and many others."

burgh was ultimately assigned, first in 1596,* and more permanently a hundred years thereafter, is distinguished as having been the seat of a noble family, from which sprang a race, probably the most illustrious in our Border annals.

1596.

While Thomas the Rhymer was yet a boy, and thirty years at least before the birth of Duns Scotus, Patrick Earl of Dunbar and March was buried in the Church of the Convent of Eccles, which his grandfather had

1232.

* It is said that Greenlaw was never used as the head burgh in consequence of the charter of 1596. It is certain that a charter of James VI., dated 18th June 1605, by which Dunse is of new erected into a burgh of barony, sets forth that the sheriff-courts were continually held within that town, as being the most convenient place for the administration of justice. And an Act of Parliament in 1661, proceeding on the narrative that the town of Dunse "lyes in the middle and most convenient place of the shire, where the liedges may be best accommodat for justice, and that past memorie of man the said town of Dunse has been . . . the place where the sheriffs of the said shire are to keep their courts," declares "the said town of Dunse to be the ordinary place for holding and keeping the sheriff-courts of the said shire." The object of this Act has been happily reconciled with the provisions of the Act 1696 by the statute 17th Victoria, c. 27, which empowers the sheriff "to hold ordinary courts at Dunse, as well as at the head burgh of Greenlaw, for the despatch of civil and consistorial business, and also for trying and disposing of such criminal causes as may be tried without a jury;" but specially provides that "the said town of Greenlaw shall continue to be the head burgh of the shire of Berwick."

founded. His daughter Ada married her cousin, the Baron of Greenlaw, and communicated to him, and transmitted to their descendants, the name derived from the Manor and Castle of Home, which she had obtained as her dowry on the occasion of a former marriage. The first patent of nobility in the Home family dates about two hundred years thereafter. To recount their subsequent actions in peace and war, would be to narrate the history of Scotland. The second Lord was virtually Prime-Minister during a considerable part of the reign of James IV. The third commanded the van of the Scottish army at Flodden, and escaped the carnage of that disastrous day, to suffer, three years afterwards, somewhat unjustly, the death of a traitor. The fourth died of a wound received on the field of Pinkie. The fifth led a body of 600 followers to the battle of Langside, and by his valour and conduct turned the fortune of the day against Queen Mary; but soon afterwards changing sides, assisted Kirkaldy of Grange and Maitland of Lethington in holding out the Castle of Edinburgh against the king.

1473.

1516.

1568.

1573.

On the sixth Lord an earldom was conferred by James VI., whom he accompanied to England in 1603; and among those by whom the title has since been borne, there are not a few of whom it may be said, that they "have done the State some service."

A younger branch of the family affords more materials for our present inquiry. Early in the fifteenth century, a scion of the house of Home received, with the hand of an heiress, the lands of Wedderburn, and became the ancestor of the Homes of Polwarth, Kimmerghame, Manderston, Renton, Kames, Blackadder, and Broomhouse. A hundred years later, Bassandean, or Bassantin, in the parish of Westruther, afterwards the seat of another branch of the Homes, belonged to a family, one of whom, James Bassantin, is celebrated for his extensive acquirements in physical science. He held for some time the chair of mathematics in the University of Paris; and his astronomical knowledge did not the less excite the astonishment of his cotemporaries, because blended with a belief in the mysteries of judicial astrology. Meanwhile the great-grandson of the first Home of Wedderburn was Sir David

Home, whose sons are celebrated in Border song as the "seven spears of Wedderburn." Sir David and his eldest son fell by the side of their monarch, on the fatal field of Flodden. The bloody banner in which their corpses were wrapped is still preserved in the family repositories. Four years later, the second son,
1517. David, was the instigator, and his brothers John (afterwards of Blackadder*) and Patrick (sometimes said to have been of Broomhouse†) the perpetrators, of the murder of the French knight, De la Bastie, to whom the Regent Albany had committed the wardenship of the Marches. This act of atrocity, which was prompted by revenge for the Regent's treachery to their kinsman, the third Lord Home, took place in the immediate neighbourhood of Dunse. Its memory is preserved in the names of "Battie's bog,"

* He married, in 1518, Beatrix, eldest of the two daughters and co-heirs of Robert Blackadder of Blackadder. Their great-grandson, Sir John Home of Blackadder, was created a baronet in 1671. The present representative of the family is Sir George Home, advocate, ninth baronet.

† *Douglas' Peerage*, vol. i. p. 174. According to one passage in Godscroft, Patrick, the sixth son, was the ancestor of the Homes of Manderston, Blackadder, and Broomhouse. Yet he speaks of the third son as *Alexander Manderstonus*, and of the fourth as *Joannes Blacadarius*.

and "De la Beaute's field."* It is noticed here, principally because, nearly a hundred years after its perpetration, it found, among other deeds of the family, a chronicler in one of the race, David Home of Godscroft. This writer was the grandson of the Baron of Wedderburn, by whom the slaughter of De la Bastie was planned. His territorial appellation is supposed to have been assumed, as more euphonious than the real name of his property, Gowkscroft. It bears, especially in its Latin form, *Theagrius*, a strong analogy to the word so touchingly employed in German to designate a burial-ground, as *God's Acre*. Home of Godscroft is best known by his *History of the House and Race of Douglas and Angus*, which was originally composed in the language then spoken by the higher orders in Scotland, or, as the author says, "in comely Scottish," and seems to have been "done into English" by his daughter, by whom it was published after her father's death. His history of his own family is in tolerably classical Latin. It was written in

* So also the road between Dunse and Preston, still known as "*the Stony Moor*," is plainly indicated by Godscroft when he describes De la Bastie's flight—"Donec *lapidosum in agrum* qui Dunsum inter et Prestonum vicum interjacet, pervenit."

1611, and first privately printed in 1839, from a copy in MS. which had been preserved at Wedderburn.* Home was also a writer of Latin verses, in which capacity he received, at the early age of fourteen, the commendation of no less an authority than George Buchanan. And the same accomplishment, by no means rare among the country gentlemen of that age, seems to have descended to his son. A small volume, containing their joint productions, was published at Paris in 1639.

Nor was the native muse at this time without worshippers in the Home family. Patrick, fifth Baron of Polwarth, has left specimens of poetry, which seem to have been popular in the court of James VI., to which he was attached; and his younger brother Alexander, supposed to have been born in the same year with his kinsman of Godscroft, was the author of a volume of *Hymns and Sacred Songs* † breathing a spirit of piety worthy of his calling as a minister of the Gospel, which he exercised for eleven years

1560.

Davidis Humii de Familia Humia Wedderburnensi Liber, presented to the Abbotsford Club by John Miller.

† Originally printed at Edinburgh in 1599, and reprinted for the Bannatyne Club in 1832.

at Logie, near Stirling. Alexander Home was bred to the bar; but the disgust with which three years attendance in the Law Courts inspired him, is expressed by himself in language little complimentary to the administration of justice in those days:—

"Three years, or near that space,
I haunted maist our highest pleading-place,
And senate where great causes reasoned were.
My breast was bruis'd with leaning on the bar;
My buttons brist—I partly spitted blood;
My gown was trail'd and tramped where I stood;
Mine ears were deif'd with macers' cryes and din,
Whilk procutors and parties called in;
I daily learn'd, but could not pleased be.
I saw sick things as pittie was to see—
Ane house owerlaid with process sa misguided,
That some too late, some never were decided;
The puir abused ane hundred divers ways,
Postponed, differed, with shifts and mere delays,
Consumed in goods, ourset with grief and pain;
Your advocat man be refreshed with gain,
Or else he faints to speak or to invent
Ane guid defence or weighty argument."

. . . . . .

Again—

"The agent als man have his wage provided,
Least all the cause in absence be misguided.

. . . . . .

The poor defender, if he lack expenses,
Sall tyne his cause perhaps for null defences."

And after openly inveighing against the judges, as senators who were "blinded with bribes,"

> "And mair respects the person nor the cause,
> And finds for divers persons divers laws,"

he apostrophises them thus—

> "O men in whom no fear of God is ludged,
> O faithless judges, worthy to be judged,
> Eshame ye not, or stand ye not in awe,
> Laws to profess, and err against the law!"

Another Berwickshire poet, of greater note than Alexander Home, may be styled his co-temporary in this sense, that he died when Home was twenty-six years of age. This was Sir Richard Maitland of Lethington.* The estate whence he was so called, is that near Haddington, now known as Lennoxlove, in token of its having been purchased, by an ancestor of the present noble owner, with a legacy bequeathed to him by a beautiful countess of Lennox. But the worthy and accomplished knight of Lethington was twelfth Baron of Thirlstane, and proprietor of the house and lands of Blythe in Lauderdale. Deprived at the age of fourteen of his father, who was one of the many victims of Flodden

* Born 1496; died 1586.

field,—distinguished in youth as a tasteful and industrious collector of ancient Scottish poetry—trying his first flight in the realms of song at the mature age of sixty—a law reporter, and an historian, as well as a poet—appointed a Lord of Session, though afflicted with total blindness, and after sitting twenty-three years on the bench, indulged with the unusual privilege of nominating his successor—the life of Sir Richard Maitland, prolonged to the advanced age of ninety, is one of no ordinary interest. His disposition, as well as his infirmity, prevented him from interfering in politics. But he saw his eldest son, the celebrated Secretary Lethington, play the prominent part in the transactions of the reign of the unfortunate Mary, which makes him too important an historical character to require any notice here. And he survived, by thirteen years, the death which, whether caused by poison or the gout, saved the Secretary from the ignominy of a public execution—the fate of his friend Kirkaldy of Grange.

1573.

The blind knight of Lethington's second son, John, Prior of Coldingham,* inherited from his

* Born 1545 ; died 1595.

father his legal talents, and his devotion to the Muses. Twice nominated a Lord of Session, and ultimately appointed Lord High Chancellor, he was raised by James VI. to the Peerage, 1590. under the title of Baron Maitland of Thirlestane. His death was mourned in a poetical epitaph from the pen of his royal master; and his metrical effusions, both in English and Latin, have found a place in the collection of his 1830. father's poems, printed by the Literary Institution, called, in honour of Sir Richard's memory, the Maitland Club.

The next representative of the house of Thirlestane was the Chancellor's only son, also a Lord of Session, who was created in 1616 Viscount, and in 1624 Earl of Lauderdale. The character which he possessed for honour and integrity is proved by the fact, that the charters and other writs forming the title-deeds of the family, having been defaced by their concealment underground during the Civil Wars, an inventory of them prepared by Maitland was, by order of Parliament, authenticated by the Clerk Register, and ordered to be thereafter received as supplying the place of the original records. The

Earl died in January 1645, immediately after his election, for the second time, as President of Parliament. His eldest son was John, Duke of Lauderdale. With many of the talents of his race, he had none of their virtues. Lord Macaulay describes him, as "perhaps, under the outward show of boisterous frankness, the most dishonest man" in the celebrated cabinet of Charles II., known as "The Cabal." "Conspicuous among the Scotch insurgents of 1638, and at that time zealous for the Covenant, he was accused of having been deeply concerned in the sale of Charles I. to the English Parliament." Employed, after the Restoration, as the chief instrument of the court "in the work of forcing Episcopacy on his reluctant countrymen," he shrank not, "in that cause, from the unsparing use of the sword, the halter, and the boot." Scottish annalists depict him as a monster of cruelty, rapacity, and injustice, "mean and abject to his superiors, haughty and tyrannical to his inferiors," with "a temper dark and vindictive," and "passions furious and ungovernable." And if a trait were wanting, to complete the picture of an ogre as terrible as ever haunted the dreams of a nursery, it is

afforded in the account of his supernatural appetite, which obliged him, when about to dine in the presence of strangers, to devour a leg of mutton beforehand, in order that he and the rest of the company might start fair.*

In the management of Scottish affairs the Duke was assisted, and his unpopularity shared, by his brother, a Lord of Session, under the title of Lord Halton. On the Duke's death, in 1682, he succeeded to the Earldom, the higher title, and the English honours conferred along with it, having become extinct. Lord Halton's eldest son was Richard, fourth Earl of Lauderdale. He was for three years Justice-General of Scotland; but was outlawed for his adherence to the fortunes of James II., and died abroad in 1695. He is known in the world of letters, as the author of a translation of Virgil, to a manuscript copy of which Dryden confesses his obligations, and from which, it was discovered on its publication, that "glorious John" had borrowed many passages, without acknowledgment. From him the title devolved on his brother, Lord Ravelrig, for twenty-one

1669.

1691.

* CHAMBERS'S *Picture of Scotland*, vol. i. p. 75.

years previous to his death in 1710 a Judge in the Court of Session, from whom our present much respected Lord-Lieutenant is fourth in lineal descent.

I now go back above a century, to the year preceding the death of the first Peer of the House of Thirlestane. And from the pleasant vale of Leader, the scene shifts to a sea-lashed rock, near the northern extremity of the County. Within the walls of Fast Castle, (immortalised in modern times as the Wolf's Crag of the *Bride of Lamermoor*,) a meeting was arranged, if not actually held, between two men of very opposite characters, who had entered into a contract for the purpose of searching, with the aid of necromancy, for a treasure supposed to be hidden in the castle. The sage, by whose skill in the black art it was hoped the "pose" might be discovered, and who (as the bond still extant provides) was to be recompensed with an exact third of whatever was found, besides a safe-conduct back to Edinburgh, was John Napier of Merchiston, the celebrated inventor of logarithms. The other party to this singular agreement was the adventurous and profligate Robert Logan

1594.

of Restalrig. Besides the estate near Edinburgh, from which he took his title, he seems to have been proprietor of, and to have frequently resided at, Gunsgreen, near Eyemouth. Fast Castle and the adjoining lands he had acquired by his marriage to the eldest daughter of Sir Patrick Home, who fell fighting against Queen Mary at the battle of Langside. It has been conjectured that his real object in enticing Napier to his Border stronghold, was to prevent the philosopher from aiding, with his supernatural powers, the opposition on the part of James VI. to the treasonable designs of the Popish lords, with whom Logan and his friend the Earl of Bothwell had, at this time, leagued themselves. Be this as it may, there can be no doubt, that the worthy and sagacious Baron of Merchiston was not long of discovering the character, and forswearing the society, of his Berwickshire host, since we find him, within two years, inserting, in a lease of part of his property, an express prohibition on the tenant from subsetting the land to any one bearing the surname of Logan.

1600. The next victim against whom a similar design was entertained by the Laird of Restalrig, is alleged to have been no other than the

King himself. I allude to Logan's supposed share in the Gowrie Conspiracy. If this celebrated plot was really a treasonable design by subjects against their sovereign, its object was, by a combination of stratagem and force, to seize the person of James in the Earl of Gowrie's house in Perth, and convey him by sea to Fast Castle. We are told that, once there, it was thought the impregnable strength of the fortress would secure the conspirators against a rescue, while the proximity to the English Border would enable them to make the most of their royal captive, in any negotiation with his jealous and unscrupulous rival, Queen Elizabeth. Five persons only are said to have been admitted to share in the enterprise. One of these was an individual of rank and consequence, whose name is still a mystery. Of the others, Gowrie, and his brother, the Master of Ruthven, are represented as actuated by feelings of revenge for the scanty justice which their father had received, on his trial for treason sixteen years before, The adhesion of Restalrig is said to have been purchased by a promise of the lands of Dirleton in East-Lothian, in his eyes "the pleasantest dwelling in Scotland." And the fourth member of the confederacy was, we

1584.

are told, "a ruffian follower of Logan's, called Laird Bower," whose participation in any deed of violence is accounted for by the statement, that he "had received his nurture and education in the service of David Home of Manderston, commonly called "Davie the Devil." * The fate of the several conspirators was not less various than the motives on which they are said to have acted. The Gowrie brothers fell by the hands of the King's attendants, in the attempted execution, as is alleged, of their treasonable design. Of Laird Bower's end we know nothing. But Restalrig, probably the greatest villain of the four, died in his bed six years afterwards; and it was over his bones, exhumed for the purpose after lying two years in the grave, that the sentence of forfeiture—the usual penalty of treason—was pronounced, in consequence of certain revelations made by one George Sprot, a notary-public at Eyemouth. Poor Sprot's knowledge of the conspiracy is not pretended to have been, at first, anything but accidental. But he is said to have been intrusted by Bower with the custody

1606.

* TYTLER'S *History of Scotland*, vol. ix. p. 331.

of some of the correspondence on the subject, and, two years after the event, to have accepted from Logan a bribe of twelve pounds, to remain silent regarding it. These facts being established against him by his own confession, he was con-
1608. demned and executed, as art and part guilty of treason; "and thereafter," we are told, "his body was broken and quartered, and his head put up beside the Earl of Gowrie's."

If I have spoken with some hesitation of this mysterious passage in Scottish history, it is because there have never been wanting those who have maintained, that the whole affair was a device fabricated by the King himself, for the purpose of getting rid of one, from whom might be expected a violent retaliation of the wrong done to his father. In their estimation, the letters from Restalrig to the Earl of Gowrie are forgeries; and the alleged confession of Sprot was wrung from him by torture. This view of the matter—certainly the most favourable for a writer of romance—has been adopted by Mr James in his interesting novel, entitled *Gowrie, or the King's Plot.* And zeal for the fair fame

of a Logan has guided in the same direction the pen of an accomplished Berwickshire authoress, whose tales of *St Johnstoun* and *Restalrig* * are worthy rivals of the works of the popular novelist. On the other hand, the opposite character of the transaction, as truly a treasonable conspiracy by the Gowries, has been maintained by Dr Robertson, by Malcolm Laing, in the second edition of his History, and still more confidently by Mr Tytler. If, notwithstanding, considerable doubts still exist on the subject, these must be attributed to the circumstance, that the truth of Sprot's confession, and the authenticity of the letters to which it related, are questioned by Archbishop Spottiswoode, who sat as one of the judges on the trial of the wretched notary, and attended on the scaffold to attest his dying words.

The mention of the Archbishop reminds me of the place, to which several members of that family are entitled, in the list of Berwickshire

* *St Johnstoun; or, John Earl of Gowrie,* 3 vols.; Edinburgh, 1823. *Restalrig; or, The Forfeiture,* 2 vols.; Edinburgh, 1829. The authoress of these works, which were published anonymously, is Mrs Robert Logan, widow of a brother of the late George Logan of Edrom.

worthies. The first of these was John Spottiswoode, Parson of Calder, and Superintendent of Lothian. By his father's death, on the field of
1513. Flodden, he was left an orphan at the age of four years. His early education was obtained at the University of Glasgow; but having afterwards journeyed to England, he owed the establishment of his religious opinions to the celebrated Cranmer, then Archbishop of Canterbury. In 1558 he accompanied Lord James Stewart, afterwards the Regent Moray, to France, to be present at the marriage of the young Queen of Scotland to the Dauphin, and fortunately escaped the death by poison, to which the treacherous ambition of the Guises is supposed to have devoted many members of that expedition. Whether or not the ecclesiastical dignity to which, two years afterwards, he was elevated, at the instance and under the direction of John Knox, can be adduced as evidence of Episcopal tendencies on the part of our early reformers, will probably always be a question among the supporters of the rival forms of church government. But the Superintendent, if not himself a Bishop, was the father of two—his elder son

having become Archbishop of St Andrews, and the second, Bishop of Clogher in Ireland.

Of the life and character of Archbishop Spottiswoode, my present limits do not admit of a detailed notice. Educated at Glasgow under Andrew Melville, he failed to imbibe the Presbyterian principles of his great instructor. He
1586. was, nevertheless, appointed, at the age of twenty, his father's successor in the parish of Calder. Thereafter attaching himself, by his courtly disposition, to the views, both political
1603. and ecclesiastical, of James VI., he accompanied the King, when he went to take possession of his English throne. But it was only to return immediately to Scotland, with a nomination to the See of Glasgow—exchanged,
1615. twelve years afterwards, for that of St Andrews, and the Primacy. He had, in the mean time, according to the policy of the age,
1610. been raised to the bench of the Court of Session; and in 1635 he became Lord High Chancellor of Scotland, having, two years before, had the honour of crowning Charles I. at Holyroodhouse. In his strenuous, but ultimately unsuccessful attempts, to force on his countrymen

the use of the English Liturgy and Church government, as well as in the collection of materials for his History, the Primate was assisted by his son, Sir Robert Spottiswoode, who, after sitting for seven years as an ordinary Lord of Session under the title of Lord Newabbey, was Lord President at the time the Great Seal was committed to his father. The storm raised by their injudicious zeal proved fatal to them both. Narrowly escaping from the fury of the Covenanters, the aged prelate retired to Newcastle, and thence to London, where he died in 1639, under a sentence of excommunication, proceeding on an allegation of monstrous crimes, of which he was wholly innocent. The son's fate was still more disastrous. Attaching himself to the fortunes of Charles I., by whom he was created, at a late period in the civil war, Secretary of State for Scotland, he was taken prisoner at the battle of Philiphaugh, and carried to St Andrews, where he was tried before the Parliament on a charge of high treason, and condemned and executed, by the instrument called the Maiden, on the 17th of January 1646. Sir Robert Spottiswoode, besides being a learned scholar, and a

1645.

profound lawyer, was, a contemporary tells us,* "a proper man, who rode exceedingly well the horse, and was a great hunter." He was, moreover, the author of *Practicks of the Law of Scotland*, an institutional work, only superseded by the more elaborate treatise of Lord Stair. It was first published by his grandson, John Spottiswoode, Advocate, whose memory I am bound to hold in special reverence, as having lectured with credit and success, both on Roman law and the law of Scotland, before the institution of a professorship of the science in any Scottish University. He repurchased, in 1700, the family estate, which had been sold by the Archbishop. The present worthy Laird of Spottiswoode is his great-grandson.

From the family which produced the great Episcopal champions, the transition is a natural one to some of those who, in the same district, were among the most strenuous opponents of Prelacy. Greenknowe, in the parish of Gordon, became, in 1649, the property, and some years afterwards the residence, of Walter Pringle, "well known," says the first editor of

1655.

* *Spottiswoode Miscellany*, vol. i. p. 13.

his Memoirs, "by his valiant and heroic appearances in defence of the covenanted Reformation."* The same year witnessed the ordination, as minister of Westruther, of John Veitch, whose fate it was to be twice thrust out of his parish, and to be subjected to a year's imprisonment, during the whole of which he was denied the use of fire or candle. A more conspicuous name is that of James Guthrie, the first Presbyterian minister who suffered death after the Restoration, for his

* The Memoirs of Walter Pringle of Greenknowe are included in the first volume of the *Select Biographies of the Wodrow Society*. They were also edited in a separate form in 1847 by the Rev. Walter Wood, formerly minister of Westruther. Their author was the second son of Robert Pringle of Stichill, whose grandson, of the same name, was created a baronet in 1683. The connexion of the Stichill family with the county of Berwick is scarcely sufficient to entitle me to claim, as Mersemen, Sir Robert Pringle's second son, who, from 1718 to 1736, was a Lord of Session, with the title of Lord Newhall; or his grandson by his eldest son, who was the well-known Sir John Pringle, Professor of Moral Philosophy in the University of Edinburgh, and subsequently Physician to George III. (by whom he was created a baronet) and to Queen Charlotte, and for some years President of the Royal Society. But it may be mentioned, that Walter Pringle's eldest daughter married George Home, fourth Laird of Bassendean, a branch of the Cowdenknows family, dating from 1573. Among their descendants are the Rev. Walter Home, minister of Polwarth, who is the heir-male and representative of the Bassendean family, and Major-General John H. Home of Bassendean, by whose father the estate was purchased from his cousin.

intrepid adherence to his principles. At the date of Archbishop Spottiswoode's death, Guthrie was minister of Lauder, whence he was translated, ten years afterwards, to Stirling. It must have been a glorious day for this zealous son of the Covenant, when twenty thousand of his countrymen assembled under General Leslie on the summit of Dunse Law, prepared to resist to the death the designs of Charles I. against the civil and religious liberties of their country. But he was destined to witness many and striking vicissitudes, both in the cause to which he was attached, and in his individual fortunes. When the unhappy King had delivered himself up to the Scottish army at Newark, Guthrie was one of the ministers selected by the Committee of Estates, to wait on the royal captive at Newcastle. And fifteen years afterwards he was tried and executed, for alleged high treason against that King's son—a fate which he owed as much to the powerful enmity of a private foe, as to the religious opinions which rendered him obnoxious to the government.

1646.

1661.

Loss of lands was among the lesser punishments, awarded in those days, for non-compliance

with the established form of worship. The estate of Tofts, in the parish of Eccles, had belonged to Sir Alexander Belches, who represented the county of Berwick in several parliaments, and sat on the bench for ten years as Lord Tofts. His successor's wife was guilty of attending a conventicle; for which offence half the estate was forfeited, and a grant thereof obtained by the first Baronet of the Purves family, who was Solicitor-General to Charles II. He called his new acquisition Purves Hall, and built the house on the very edge of the property, hoping that the lady would resume her divisive courses, and that he would get the other half of the estate. But the lady, we are told, "had more sense; and the opposite sides of the road have belonged to different proprietors ever since."

1646 to 1656.

1665.

The cause for which Guthrie lost his life, and Lady Tofts her husband's broad acres, found, within the next quarter of a century, two eminent champions—one of them a martyr—in two individuals still more closely connected with the county of Berwick. I refer to Patrick Hume of Polwarth, and Robert Baillie of Jerviswood. The former was the seventh of the Barons of Polwarth,

the first of whom was a grandson of the first Home of Wedderburn. The latter was the representative of a Lanarkshire family, whose acquisition of the lands of Mellerstain dates from 1643. It has been well said,* that, "in their governing opinions on the subjects of civil and religious liberty, and in their devotedness to the cause which they had espoused as that of their country and of mankind, as well as in the bonds of private friendship, these two distinguished persons appear to have been closely united throughout their lives. In their fates and fortunes, however, there was a striking diversity. While the one fell a victim to the vindictive tyranny of the government they had felt themselves compelled to resist, and laid down his life with the serene firmness of a stoic philosopher, and the meekness of a Christian martyr; the other, after many hairbreadth escapes from a similar fate, survived the faithful associate of his councils, to become eminently instrumental in overthrowing the despot-

* Preface by the late Thomas Thomson, Advocate, to "Memoirs of the Lives and Characters of the Right Hon. George Baillie of Jerviswood, and of Lady Grisell Baillie, by their daughter, Lady Murray of Stanhope." Printed at Edinburgh, 1822.

ism which had long afflicted their country, and to attain, under another order of things, the highest stations and dignities in the State. The charges on which Baillie was brought to the scaffold, were very similar to those on which, shortly before, Russell and Sydney had been put to death in England; and the whole proceedings against him were characterised by a spirit worthy of the worst days of the Inquisition. One drop of comfort in his cup of suffering the relentless barbarity of his persecutors did not refuse to him. This was the affectionate sympathy of his cousin and sister-in-law, Helen Johnston, Lady Graden.* For two months she shared his dungeon. She supported his feeble frame during the long hours of his trial. She stood beside him on the scaffold. And, with what has been justly called "a more than masculine courage,"† she remained to see with her own eyes the hangman quarter his body, and

Dec. 23, 1684.

* Lady Graden was the daughter of the well-known Sir Archibald Johnston, Lord Warriston, and was married in 1659 to George Home of Graden, who died in 1679. Baillie's mother was sister to Lord Warriston; and he was married to one of Lord Warriston's daughters.

† FOUNTAINHALL'S *Historical Notices*, vol. ii. p. 594.

extended her pious care to the mangled remains, which were destined to be exhibited on the tolbooths of Jedburgh, Lanark, Ayr, and Glasgow.*

A younger heroine had also an important share in the troubles of the times. On occasion of Jerviswood's first imprisonment, seven years before, a message was conveyed to him, from his friend Sir Patrick Hume, by means of Hume's daughter Grisell, who, though only twelve years of age, travelled for the purpose from Redbraes Castle, the modern Marchmont, to Edinburgh. And it was within the prison walls that the youthful attachment was formed between her and Baillie's son, which, ripened during a long period of common suffering, led, fifteen years afterwards, to their happy marriage. Of the adventurous part which the same young lady took in aiding her father's

1677.

1692.

* The Lanark quarter was taken down, and received decent burial, at the hands of a small farmer in the parish of Dolphington, named Leechman. The act commended him to the friendly offices of the Baillie family, and thereby procured for his son the benefit of a college education. That son rose to be, in 1743, Professor of Divinity, and in 1761, Principal of the University of Glasgow. See the Account of his Life by James Wodrow, D.D., prefixed to two volumes of his Sermons, published in 1789.

concealment, her midnight visits to the vault of Polwarth church—for more than a month his place of hiding—and the innocent stratagem by which she contrived to abstract for his supper the sheep's head, which she knew to be his favourite dish, it cannot be necessary that I should speak here. Neither need I recount the well-known story of Sir Patrick Hume's escape to the Continent, his gracious reception by the Prince of Orange, his share in Argyle's expedition, his return to poverty and exile in Holland, his restoration, after the Revolution, to his native country and his family estates, his zealous and useful services in the establishment of the new Government, and his elevation, by the gratitude of King William, to the dignities of Lord Polwarth, Earl of Marchmont, and Lord Chancellor of Scotland. The part which Lord Marchmont took, at a later period, in promoting the Union, gave rise to the ridiculous imputation, that he accepted a bribe of eleven hundred pounds, as the price of his adherence to the views of Queen Anne's Government. This calumny has been satisfactorily refuted. It was reserved for Lord Macaulay to bring a new

1690.

1696.

charge against him, in respect of his intellectual capacity—describing him, especially in reference to the expedition under Argyle, as "a man incapable alike of leading and of following, conceited, captious, and wrong-headed, an endless talker, a sluggard in action against the enemy, and active only against his own allies."

I hope the day is not far distant, when this mistaken estimate of the character of the great patriot of the Merse will receive a more formal and complete refutation than I have leisure to offer. It may be that Sir Patrick Hume was fond of hearing himself talk. But if it was so, those best acquainted with the social qualities of the noble historian will concur with me in thinking, that the fault is not one which he at least should regard as unpardonable. And I cannot comprehend, how Lord Macaulay can reconcile his own description of the statesman-like sagacity of his favourite idol, William of Orange, with the picture he draws of the man who, both before and after that prince's accession to the English throne, was among his most trusted counsellors, and his most highly honoured friends.

Lord Marchmont's political career ended with the Union, though, on the accession of George I., he was reappointed to the Sheriffship of this County, of which he had been deprived in 1710. The close of his life was spent in retirement at Berwick, where he died in 1724, at the age of eighty-three. Of the persons and scenes among whom he lived, after the Revolution, a curious picture is contained in an MS. Diary preserved in the Marchmont repositories. Its author was George Home of Kimmerghame, whose father was the Earl's first cousin, and who was himself his junior by about nineteen years.

George Home was in early youth the hero of a romantic adventure, for some of the particulars of which I am indebted to my friend Mr Robert Chambers' researches into the Records of the Privy Council of Scotland. It appears that the Laird of Ayton had entailed his estate on his only daughter, Jean Home, and the heirs-male of her body; whom failing, on Charles, brother of the Earl of Home, with a change in the destination in case of an heir-male in possession succeeding to the earldom. This settlement occasioned much disappointment to Home of

Plendergast, who was Ayton's next heir-male. With a view of obtaining reparation, by bringing about a marriage between the heiress and a relation of his own, Plendergast petitioned the Council, in December 1677, to have the young lady, then about twelve years of age, brought to their bar, that she might, in the presence of her assembled kindred, go through the ceremony of choosing her curators.* This application did not suit the views of the other branches of the Home family, or of the Countess of Home, the young lady Ayton's grandmother, under whose care she was. Accordingly, on the evening of the same day on which the petition was presented to the Council, the child was seized by a band of Merse lairds, headed by Charles Home, the Earl's brother, and taken across the Border.

* Lord Fountainhall's account of the matter is, that "the Countess-dowager of Home, upon a supplication given in by Colonel John Home of Plendergast to the Secret Council, was ordained to exhibit the heiress of Ayton, her grandchild, the next Council-day at the bar, to the effect they might sequestrate her in a neutral hand, in regard the Countess was alleged to be resolved to dispose of her in marriage, without consent of her friends on the father's side. But the design of the sequestration was to bestow her on William Ramsay of Edington, younger."—FOUNTAINHALL'S *Historical Notices*, vol. i. p. 180.

"There," we are told, "they, in the most undutiful and unchristian manner, carried the poor young gentlewoman up and down like a prisoner and malefactor, protracting time, till they should know how to make the best bargain in bestowing her, and who should offer most. They did at last send John Home of Ninewells to Edinburgh, and take a poor young boy, George Home, son to Kimmerghame, out of his bed, and marry him to the said Jean, the very day she should have been presented to the Council." And it is mentioned as an aggravation, that the ceremony was performed by an English minister, "opening thereby a new way to slight the clergy of Scotland."

Of the chief actors in this lawless enterprise, who were summoned before the Council to answer for their conduct, Robert Home of Kimmerghame, the bridegroom's father, died while the case was in dependence. Sir Patrick Hume of Polwarth (afterwards Lord Marchmont) was acquitted, as his "accession was not proven."* But Home of Ninewells and Johnstone of Hilton suffered amercement respectively, in one thousand

Feb. 1678.

* FOUNTAINHALL'S *Historical Notices*, vol. i. p. 181.

and two thousand merks, "the former sum to be paid to Plendergast." And, some months afterwards, "Mr Charles Home, brother to the Earle of Home, for his accession in the clandestine marriage of the airesse of Ayton to the Laird of Kimmerghame, and for not appearing, was imprison'd in the Castle, he having no fortune wheirin to fyne him, and after two dayes was, at his brother's intercession, liberat."* The hardest fate was that of the young couple. They were fined—the boy-husband in five hundred pounds Scots, his still more youthful bride in a thousand merks—for their clandestine marriage. The lady had also, for contempt of the Council, to pay another thousand merks to Plendergast. "The sentence further declared that young Kimmerghame had lost his *jus mariti*, and she her *jus relictæ*, conforme to the ninth Act of Parliament in 1672." And, moreover, they both suffered three months' imprisonment in Edinburgh Castle.†

* FOUNTAINHALL'S *Historical Notices*, vol. i. p. 204.

† The subsequent fate of one of the conspirators, and the narrow escape of another, deserve notice. Lord Fountainhall writes (*Historical Observes*, p. 116):—"On the 26th of December 1683, Mr William Home, brother to the Earle of Home, at

The "poor young boy, George Home," was seventeen at the date of this marriage. For a time he was styled Home of Ayton, but, by his young wife's death within six years, the estate devolved on the Charles Home whose lack of fortune had exempted him from punishment, and who, three years later, became sixth Earl of Home. From him, in consequence of that event, the lands of Ayton, which, more than the hand of their fair mistress, had been the subject of such fierce contention, passed, in terms of the destination, to his second son, in whose hands they continued, till forfeited for his share in the Rebellion of 1715.* In the mean

1684.

the Castle of Hirsell, in the Merse, did proditoriously murder *Joseph Johnstone of Hilton*, and wound *Home of Nynewalls*. It was reported that Hilton (who was of a haughty quarrelsome temper), besydes opprobrious words he had used to Mr William, gave him also a box on the face: however, he came and stabbed him as he was going to his bed. He fled to England on Hilton's horse." A more circumstantial account of the same incident is quoted from Law's *Memorials* by Mr Burton, in his *Life of David Hume*, vol. i. p. 6, *note*, from which we also learn that William Home was "killed himself in the wars abroad."

* Though his estate was confiscated, Home himself, after having been tried and found guilty of high treason, received the benefit of his Majesty's act of grace, "and is said to have lived for many years afterwards in the village of Birgham, on the Tweed; and in remembrance of the ancient dwelling of

time young Kimmerghame served in the army, and married a second wife. When his Diary commences, in 1694, we find him, at the age of thirty-four, again a widower, with an only child. He seems to have been a simple-minded country gentleman, a good deal involved in his circumstances, though holding an office in the Customs, and also Collector of cess for the County, and at one time a candidate for its parliamentary representation. His life appears to have been spent between Kimmerghame, where he was constantly visiting or receiving visits from his neighbours and family connections, and Edinburgh, where business frequently carried him. The social intercourse of those days was sufficiently primitive. No long invitations and formal dinner-parties, but friends constantly dropping in—sometimes at four o'clock in the morning—and forenoon calls generally paid after dinner. The fare at these extempore festivities must often have

his fathers on the banks of the Eye, to have called his new mansion Ayton House, by which name it still goes."—CARR'S *History of Coldingham*. The estate of Ayton was purchased by his mother, Anne, Countess-dowager of Home, from the Parliamentary Commissioners, in 1724. In 1731 she sold it to Thomas Fordyce of New Grange, from whose great-grandson it was acquired, in 1841, by the present owner.

been sufficiently scanty; since we find recorded, as important events, the sending a servant to Berwick for a leg of veal, or to Kelso for half a pound of tobacco and some bread. The Laird of Kimmerghame, going to visit his cousin, Sir John Home, at Blackadder, takes his son Robie (then about two years old) before him on the black mare, and Robie's woman behind the serving-man. They dine there, and return at night. On occasion of a more formal gathering at the same hospitable mansion, "the gentlemen, after dinner, fell to tossing dogs in a blanket, which" (the journalist adds) "is a usual divertisement in other places, particularly among the Swissers. They got dogs," he continues, "at Greenloan. They are not as yet very dexterous." Sometimes the sports of the neighbourhood are rather more manly; as when Carre of Cavers, who was also Laird of Nisbet, goes "to the foxhunting, in Langton parks, among the broom;" or Captain Cockburn of Langton kills two hares with his greyhounds on Dunse Common; or when, one day in June (not very sportsman-like, as far as concerns the season), they go "to the *setting* at Kettleshiel, where the dog sett several times;

but it was either an old fowl who rose before the net was ready, or young fowls that were scattered; so that there was none catched by the net but one old hen; but a hawk of Cavers' took severals, and some were marked where they sat down, and taken."

The modes of travelling were rather different from what we are accustomed to in these railroad days. Kimmerghame, going to Edinburgh in the month of January 1695, sends to Blackadder for a loan of his black sword, cloak-bag, saddle, and malle-pillion; and, taking horse in the morning, dines at "Jinglekirk," and comes to town at night, where he lodges "in Mrs Rome's, up Blair's stair, the fourth story upon the street." Returning from town in March 1698, he gets a place in Sir John Swinton's coach, and "came to Polwarth House about 8." Arrived there, the writer adds—"Commissary Home* and I were bedfellows." While in Edinburgh, he generally dines with one friend, and sups with another; though the evening meal is not unfrequently taken in a tavern. Thus, in

* Alexander Home, Writer to the Signet, Commissary of Lauder from 1690 to 1702.

the month of March 1699, after a dinner at the Chancellor's—that is, Lord Marchmont's—the whole party "take the air in two coaches as far as Musselburgh, and there get some oysters." And special mention is made of a dinner with Home's uncle, "my Lord Crossrig, he having invited me to a solan-goose;" after which the pair walk to the Physic Garden, where they meet with my Lord Newbyth,* Lord Presmennan,† and others; and, after their walk, they go to the Bull, and sup. The country laird adds, with evident pride, "We treated the Lords of Session."

I do not insinuate that this treating of the Lords of Session involved anything corrupt. But it is worthy of remark, that the practice of privately indoctrinating the Judges on cases depending before them—a practice which is understood to be to this day universal in France—

* Sir John Baird of Newbyth, created a baronet by Charles II., and appointed to the Bench in 1664. In 1681 he was superseded, but reappointed after the Revolution, and died in 1698. He collected the decisions of the Court from November 1664 to February 1667, and "Practicks" from 1664 to 1690, the MSS. of which are in the Advocates' Library.

† Robert Hamilton of Presmennan, appointed to the Bench in 1689.

seems, at the period of which we treat, to have been not unusual in Scotland. Thus no surprise is expressed by the author of the Diary, on receiving a visit from a lady, who was concerned in a cause in which Lord Crossrig was the Judge; the lady's desire being, "that he should speak in her favour to my Lord, and give him information in the business." Nor was the administration of the criminal law less objectionable. Deeds of violence were either committed with impunity, or the satisfaction for them made matter of private arrangement. Sir George Lauder of Edington shoots his neighbour, Laird Spence, through the heart, in open day, in the village of Chirnside, and makes his escape.* Brymer of Edrom has a quarrel with one Douglas "about a debate of their marches," and shoots him in the thigh; and the result is, that instead of his being made to stand at the bar of the Court of Justiciary, the two name mutual friends—Kimmerghame and the minister

June 7, 1709.

Sep. 15, 1698.

* "The murderer hastened to Edington, and, mounting his horse, rode furiously towards Berwick. His fate is somewhat uncertain. According to some accounts, he threw himself from Berwick bridge into the Tweed. The parish register merely tells us, 'Lauder did not live long after this foulle murder.'"—CARR'S *History of Coldingham*, p. 162.

of Edrom on the one part, and Caldra and the minister of Bunkle on the other—and after much discussion, and more than one meeting, it is arranged, that "on payment of 450 merks, and the cure, Douglas is to discharge Edrom of all assythment, and not to concur in any process against him." On the other hand, offences against property were visited more summarily, and with greater severity. Thus the author of the Diary writes: "There was a fellow who was taken in Lammermoor stealing sheep, and who had engaged to be hangman at Greenlaw, and who had run away and stolen a sheep again, and who had been taken and whipt through Greenlaw, and who had, after all, stolen cloathes at Polwarth church, put in the juggs, and burnt on the cheek to-day." And another page contains a curious account of a trial before Lord Polwarth as Sheriff, of a man who, by means of false keys, had stolen ale, brandy, and other things from Captain Cockburn's cellar in Dunse, and who for that crime, combined with the fact of other stolen goods being found in his possession, was sentenced to be hanged before sunset, and only reprieved for eight days on the

June 29, 1699.

intercession of the Minister and several others, "after there had been a great deal of work to get up the gallows, and to find a hangman, that of Dunse being dead."

We have glimpses in the Kimmerghame Diary of several persons not unknown to fame. On the 14th of February 1696, the writer mentions sitting in a tavern with "Mr Paterson, the great projector for trade"—the individual so designated being the founder of the Darien Company, and the man who, five years before, had originated the plan of the Bank of England. During another of his visits to Edinburgh, the journalist narrates, that "Sir John Home and Sandy Nisbet being in my chamber, had a discourse on heraldry, Sandy being on a design to publish a book on that subject." And a more important encounter at "the Chancellor's," is with Mr (afterwards Principal) Carstairs, "ordinarily called Cardinal Carstairs, the High Priest, Father Carstairs, Père-la-Chaise," whom the Berwickshire laird remembers as his fellow-prisoner in the castle of Edinburgh twenty years before, "and thought it was no fault to be civil to a man, (especially one

Sep. 10, 1698.

March 4, 1698.

who is able to do so much mischief as he), though we did not own his ill designs, which, they say, are to influence the members of Parliament to a life-rent cess, and take away the African Company, &c."

Among the "Men of the Merse," with whom Kimmerghame was most familiar, some are worthy of notice on their own account, others on account of their descendants. The foreground of the picture is always occupied by the Lord of Marchmont, or, as it was then called, Polwarth House,—changed in 1704 to Redbraes Castle.* Without the presence of "the Chancellor," neither a business meeting nor a convivial party seems to have been considered complete. His sayings are chronicled with a Boswell-like fidelity—as when we are told, that "after dinner my Lord fell in commendation of tobacco, and said he was told it was observed that no man that smoked regularly fell into a consumption, or was troubled with the gout." When he journeys to London in his family-coach—a journey, by the

* The change seems to have been a return to the older name. Godscroft speaks of "*arx Poluarti quæ Ridbraes nuncupatur.*"

way, which occupies him twelve days—he is waited on, as far as Belford, by a troop of his attached friends, including Kames, Coldenknows, and his loving cousin of Kimmerghame. His return from the south, as his Majesty's Commissioner to the Scottish Parliament, resembles nothing but a royal progress. And in the exercise of his viceregal authority, we find him dubbing knights, and ruling with firmness and dignity an assembly as turbulent as a modern American Congress. Yet in the midst of all this he is a kind friend, a hospitable host, an active country gentleman, a welcome guest at bridals and christenings, deeply interested in everything that occurs in Berwickshire, and consulted regarding the marriage, and revising the marriage-settlements, of his every female cousin in the fourth or fifth degree.

July, 1698.

There are frequent notices in George Home's Diary of some of the younger members of the house of Marchmont. And what is to be said of them and their descendants may as well be said here. Of the marriage of Lady Grisell Hume to the son of her father's friend, Baillie of Jerviswood, I have already spoken. And no tribute

that could be paid to the memory of the pair, could rival the simple record of their virtues, preserved by the filial piety of their daughter, Lady Murray of Stanhope.* Another daughter, ultimately sole heiress of Jerviswood and Mellerstain, was married to Charles Lord Binning, eldest son of Thomas, sixth Earl of Haddington. Among their great-grandchildren are two Berwickshire landowners, the present Earl of Haddington, and Mr Baillie of Mellerstain. Lord Marchmont was preceded to the grave many years by his eldest son, who commenced his military career in King William's body-guards, and served with distinction in the campaigns of the Duke of Marlborough. Nor does he appear to have neglected the duties of civil life. He was Treasurer-Depute in 1696; and nine years afterwards I find him filling, what I am bound to consider the highly honourable post, of Ruling Elder from the Presbytery of Dunse to the General Assembly. In consequence of the death of the

1709.

* See also *Correspondence of George Baillie of Jerviswood*, 1702-1708—presented to the Bannatyne Club in 1842 by the Earl of Minto, who, in the preface to the volume, observes of Baillie, "He is universally admitted to have been a man of vigorous talent, and uncompromising principle."

would not many years before the title devolved on the Earl's death on the third brother, Sir Alexander. By his marriage with the heiress of Cessnock in Ayrshire, he had acquired the name of Campbell, and the title under which he was raised before he was thirty years of age, to a seat on the Bench.* Alexander Lord Marchmont held, along with high diplomatic appointments, the office of Lord Clerk Register, of which he was ultimately deprived, in consequence of his opposition to the Government of Sir Robert Walpole. From him the talents and virtues of the race descended to his twin sons, Hugh Lord Polwarth, and Alexander Hume Campbell. They were celebrated for their extraordinary personal resemblance to one another; and as members of the British Parliament —the one for the burgh of Berwick, and the other for the County—they displayed an equal similarity in oratorical powers. The younger brother was an eminent member of the English bar, and held, for some years previous to his

1724.

1764.

1733.

* The sale of this Ayrshire estate in 1768 provided the funds, by means of which Hume Castle and the adjoining lands became the property of the Marchmont family.

death in 1760, the office of Lord Clerk Register of Scotland. The elder became in 1740 the third and last Earl of Marchmont, and maintained, during a life prolonged to the advanced age of eighty-six, a character worthy of the name he bore. Of his two sons, the one who alone reached man's estate, was created in 1776 a British Peer, by the title of Baron Hume of Berwick. A difference in county politics caused a quarrel between him and his father, in which Scott of Harden, the Earl's son-in-law, was also involved. And this family feud, which the young lord's early death did not heal, occasioned a separation between the Marchmont estates and the only one of the family honours descendable through a female. The lands devolved, by Lord Marchmont's settlement, on the heirs of his sister, Lady Anne Purves, whose great-grandson is the present worthy Baronet of Marchmont. And the Barony of Polwarth, after being dormant for forty years, was adjudged in 1835 to Hugh Scott of Harden, the son of the Earl's daughter, Lady Diana Scott, and father of the present Lord Polwarth.

Died 1794.

1781.

Reverting to the first Earl of Marchmont,

mention may be made of his fourth son, Sir Andrew Hume, Lord Kimmerghame. In the Diary of his predecessor in the lands whence he took his judicial title, he is mentioned as Sheriff-Depute of Berwickshire, and also as one of those on whom his father, when Royal Commissioner to the Scottish Parliament, conferred the honour of knighthood. He afterwards held a seat both in the native Legislature, and in the first British Parliament, and obtained a place on the Bench by the resignation of his brother, Lord Cessnock, in 1714. Surviving his father only six years, he left a son, who was murdered in Ireland in 1738, and four daughters, of whom the second married George Carre, Advocate, afterwards a Lord of Session with the title of Lord Nisbet, and the third was grandmother of the present Lord Sinclair. The estate of Kimmerghame Lord Marchmont acquired, as next heir, after the death of his kinsman, the "Robie" of the Diary. By him it was disponed to his son in 1711, under burden of a heavy debt. But Lord Kimmerghame was unable to preserve it for his successors; and eight years after his death, it was the subject of a judicial sale. It has

1710.

1738.

since passed through the hands of no fewer than ten proprietors, before coming to its present possessor.

Among the lady cousins, in whose settlement in life Patrick earl of Marchmont is found taking a lively interest, was Julian Home, the Laird of Kimmerghame's sister. On her revealing to her family that she had been wooed and won by Dr Trotter, "brother to young Kettleshiel," we find the Laird confessing, that "he had some difficulties about the meanness of his birth; yet thought that might be passed, if she had an inclination to the man." Judging from the style in which the marriage was celebrated, or at least the honeymoon commenced, the worthy man need scarcely have been so fastidious. For the wedding takes place in Edinburgh, in the month of November. Next day the whole party start for the Merse on horseback—the bride behind her husband. They reach Fala Mill with some difficulty, owing to a snow-storm; and setting out next morning at seven o'clock, they dine at "Jinglekirk;" and arrive in the evening at Charterhall; where the happy couple seem to have resided, till permitted, apparently as a favour by Drumelzier, to occupy Dunse Castle.

One reason for alluding to this marriage is, that the bridegroom, Dr Trotter, was the person to whose friendly suggestion the world is indebted for the publication of a work breathing the most fervent spirit of piety, and which has long occupied, throughout Scotland, an honoured place beside the family Bible and the *Pilgrim's Progress*, on many a cottage shelf. I allude to the *Fourfold State of Man*, by Thomas Boston. This excellent man, and truly Christian author, was born, and in a great measure educated, in the town of Dunse. And he was for eight years minister of the parish of Simprin, not then united to Swinton; whence he was removed to Ettrick. The records of the kirk-session, during his Berwickshire incumbency, still exist in his handwriting, and show a strictness of discipline which would not be readily submitted to in modern times. Nor are his birth, and long residence in the Merse, our only grounds for claiming for this County an interest in the pious labours of Boston. For we have it on record, that the deep religious impressions to which the world owes so much, were first excited in his mind by the preaching of Henry Erskine,

1676.

1699 to 1707.

1687.

shortly afterwards minister of Chirnside, and the father of the well-known Ebenezer and Ralph Erskine, the founders of the Secession Church.

Referring once more to George Home's Diary, it may be noticed how many of his friends and neighbours were Judges. One of these was Sir Roger Hog of Bogend, Lord Harcarse, well known as a collector of the decisions of the Court. He was appointed a Lord of Session in 1677, and obtained, the following year, a seat in the Justiciary Court, by the removal of Lord Castlehill, on an accusation against him by the Duke of Lauderdale, that "he could hang none without their own consent." Nor was Sir Roger Hog's own tenure of the judicial dignity more secure. For, after sitting ten years on the Bench, he was summarily removed by a letter from James II., for giving a judgment contrary to the King's wishes. He survived his removal twelve years, and died in 1700.

Another of Kimmerghame's familiars was Alexander Swinton, Lord Mersington, an uncle of the Laird of Swinton of the day. He was the only individual who sat on the Bench at the Revolution, and was reappointed after it. Being a zealous

Presbyterian, and taking an active part in the political events of the times, his character is represented in very opposite lights, by the adherents of the rival parties. *Lord Balcarras' Memoirs*, giving an account of the storming of the palace of Holyrood, describe the "the fanatical Judge" heading the rabble, with a "halbert in his hand, and as drunk as ale and brandy could make him."*

Aug. 22, 1700. On the other hand, the Lord Advocate, Sir James Stewart, writing of his death to Principal Carstairs, thus expresses himself: "On Tuesday last, the Lord Mersington dined well with a friend in the Merse, and went well to bed, but was found dead before four in the morning—his lady in bed with him, who knew nothing of his dying. A warning stroke. He was a good honest man, and is much regretted." †

Mention has been already made of Sir David Home, Lord Crossrig. He was the second son

* This picture of Lord Mersington is not contained in the genuine edition of Lord Balcarras' work, but is taken from one of the "transcripts so mutilated and interpolated as frequently to be unintelligible, and in many instances to reflect the opinions and sentiments of the copyist, rather than those of the original author."—*Preface by Lord Lindsay to the Earl of Balcarras' Memoirs*, presented by him to the Bannatyne Club in 1841.

† *Carstairs' State Papers*, p. 625.

of Sir John Home of Blackadder, who was the grandson of one of the Seven Spears of Wedderburn. One of his sisters was married to the Laird of Ninewells, and another to Robert Home of Kimmerghame, the Diarist's father. Lord Crossrig had the singular fortune to be admitted Advocate, in his forty-fifth year, on a simple petition, proceeding on a statement "that for weighty reasons he had desisted from such close prosecution of his studies, as was necessary for undergoing a strict trial." But this did not prevent his being raised, within two years (1689), to the Bench. He was the author of a religious tract, entitled *Advice to a Daughter*, and also of a *Diary of the Proceedings in the Parliament and Privy Council of Scotland* from May 1700 to March 1707, which was printed in 1828, as the contribution of the present Lord Justice Clerk to the Bannatyne Club. And a zealous antiquary has given to the world a small volume by him, entitled "An Account of my Estate and Fortune (so far as I can remember) ever since I had any; begun to be written Wednesday, April 28, 1697, for my own and my successors' information." This domestic register would avowedly have been more complete, had

[illegible] the arrest of many of the poor Earl's countrymen [illegible] in the great fire in Edinburgh on the 3d of February 1700, of which an eyewitness writes:* "There are burnt in the Canongate between three and four hundred houses . . . . The profit of Edinburgh is arising from the Lawyers in the High Court, and it burnt, and hardly one stone left upon another;"—adding, with reference to the escape of the Lord Home, who, it appears, had a wooden leg —"Many rich merchants, such as Cunningham, with a child under the cover, happing for his life." Lord Cessnock died on the 13th of April 1707, aged sixty-four.

The race of Berwickshire Judges did not end with George Home's contemporaries. Within the next half-century, the son of his nearest neighbour, Carre of Cavers, was the first Sheriff of this County, after the abolition of heritable jurisdictions. Seven years afterwards he was raised to the Bench as Lord Nisbet. He died on the 21st of February 1766.† The

1748.

1766.

* Letter from Forbes of Culloden to his brother; *Culloden Papers*, p. 27.

† Lord Nisbet married, as already mentioned, a daughter of Sir Andrew Hume, Lord Kimmerghame. On the two daugh-

son of another of Kimmerghame's familiars was Henry Home, Lord Kames. He was the great-grandson of Sir John Home of Renton, Lord Justice Clerk in the reign of Charles II., through whom he was sixth in descent from Alexander Home of Manderston, one of the Seven Spears of Wedderburn. Born at Kames in 1696, he was, during a life of eighty-seven years, eminent in a greater number of different fields of distinction, than has frequently fallen to the lot of man. An accomplished jurist, as well as a learned Judge; a philosopher as bold in speculation as David Hume, if not as sound in judgment as Dr Reid; a critic, while the race of Giffords and Jeffreys was as yet unknown; and a writer on education half a century before the world had heard of Dr Arnold or Hannah More,—he ended by being, in successful practice, as well as in his writings, a "Gentleman Farmer." It was on his Berwickshire property that his first agricultural improvements were made. But his most important practical undertaking was the commencement of the

ters of this marriage the estate of Nisbet, after being held for nearly twenty years by their father's younger brother, Ralph Carre, devolved in 1784. It now belongs to Lord Sinclair, in virtue of an entail executed by these ladies in 1810.

removal of the great moss at Blair Drummond, to which estate he succeeded through his wife. It is now possessed by his grandson. Two singular anomalies in Lord Kames' character can scarcely pass unnoticed. One was, that the elegant and accomplished author accustomed himself in the intercourse of society, and even on the Bench, to the use of language, the coarseness of which exceeded even the usual license of his cotemporaries. The other was the facility with which he allowed his love of sarcasm to get the better, both of his amiable disposition, and his judicial decorum. Of this we have an example in the well-known anecdote, of his pronouncing sentence of death on a gentleman whom he had been in the habit of meeting when on circuit, and playing chess with him; and, after concluding with the solemn words, "The Lord have mercy on your soul," adding in an under-voice, as the prisoner was taken from the dock, "*and that's checkmate to you.*"

On the 14th of February 1695, we find Kimmerghame recording in his Diary the death of his first cousin, Ninewells, adding, "though he

seemed not to desire a scutcheon, we have ordered one, with his eight branches, to be put up over the door of the church." The worthy laird, thus indifferent to funeral honours, little thought, that there was in store for his house a fame to which the pomp of heraldry could add nothing. The son who followed his hearse was the father of David Hume, the philosopher and historian, of whom, with all his faults, it cannot be denied, that he has made the name he bore famous wherever the English language is spoken. Nor must it be forgotten, that the same individual was the grandfather of another David Hume, who has been to the criminal law of Scotland what Blackstone was to English jurisprudence; and whose modesty has alone prevented future generations of lawyers from deriving, from his academical prelections, the benefit conferred on those who were privileged to be his pupils.*

One other name will complete my notices of

* The late Baron Hume, by the same settlement which directed the publication of his *Dictionary of Decisions of the Court of Session from* 1781 *to* 1822, expressly prohibited the publication of his Lectures, "or any part of them, . . . on any account whatever, . . . or any notes or abstracts or copies of the same."

the Home family.* James Home of Flass was
1695. Sheriff-Depute of Berwickshire under Lord Polwarth. He was descended, through his father, the third Laird of Bassendean, from the Homes of Coldenknows, on one of whom the
1633. earldom of Home had devolved sixty years before, on the failure of the elder branch of the house. It is more to our purpose that he

* While these pages pass through the press, an opportunity occurs, not to be resisted, of adding the name of an Indian hero to the distinguished scions of the house of Home. Frequent mention is made in the Kimmerghame Diary of William Home of Greenlaw Castle. The lands of which he was the owner now form part of the Marchmont estate. But among his descendants was Lieutenant Duncan Charles Home, who so nobly distinguished himself as the leader of the brave band which blew in the Cashmere Gate of Delhi. He was the son of Major-General Richard Home of the Bengal army, and was born at Jubbulpore in June 1828. After obtaining high honours at Addiscombe, he sailed for Bengal in July 1848, and joined the army under General Whish, in time to witness the surrender of Mooltan. He was afterwards present at the battle of Goojerat, and for these services received a medal and clasp. His gallant conduct at Delhi, which gained him the proud distinction of the Victoria Cross, was related in detail in the Despatch of Colonel Baird Smith, C.B., dated 17th September 1857, and was mentioned with marked approbation by the Governor-General in Council. From Delhi he advanced with Colonel Greathead's movable column to Bolundshuhur; and after the action fought there against the rebels, was employed in the destruction of the deserted fort of Malaghur, where he met with the fatal accident, which terminated in a moment his brief but glorious career, on the 1st of October 1857.

was the grandfather of John Home, the well-known dramatist.* To many of us, the speech commencing

"My name is Norval, on the Grampian hills,"

is associated with the earliest recollections of our childhood. And few can be ignorant of the merits of the Tragedy of *Douglas*, which, on its first representation on the Edinburgh stage, had unbounded popularity; and when produced in London, elicited from an enthusiastic Scotchman, in the pit of Covent Garden, the triumphant exclamation, "Whare's your Wullie Shakespeare now?" John Home was for eleven years Minister of Athelstaneford, in East-Lothian. But he resigned, in 1757, a position which was not considered consistent with his devotion to the dramatic muse. Besides his great work, he was the author of several other pieces of very inferior merit, and also of a History of the Rebellion of '45, in some of the scenes of which he had himself taken a prominent part, on the side of the Government. It may be doubted, however, whether he placed as high a value, either on his poetical reputation, or his military fame, as on his connexion with

* Born 22d September 1722.

the ancient house whose name he bore. To the orthography of that name used by the chief of the race, and according to which it is written *Home*, he tenaciously adhered, much to the amusement of his friend and kinsman the historian, whose branch of the family (like the later members of the Polwarth branch) had, for some or no reason, preferred spelling their name as it is pronounced—*Hume*. To this, and the poet's partiality for claret over port,* David Hume alludes in his last will, as "the only two differences that ever arose between them concerning temporal matters." And he leaves his friend six dozen of the latter wine, provided that he attests under his hand, signed John *Hume*, that he has himself alone finished, at two sittings, a single bottle of the same liquor, also bequeathed to him. The legacy, doubtless, remained unclaimed. And the name is, to this day, written differently by different branches of the family.

The last of Kimmerghame's friends and asso-

* The enforcement in Scotland of the high duties on claret, called forth from John Home the well-known epigram—

"Firm and erect the Caledonian stood,
Old was his mutton, and his claret good;
'Let him drink port!' an English statesman cried;
He drank the poison, and his spirit died."

ciates whom I shall mention, is Sir John Swinton of Swinton. He was the representative of a family, which is said to have held lands in the Merse since the reign of Malcolm Canmore, and was himself ninth in descent from the Sir John Swinton, to whose intrepidity historians attribute the victory of Otterburn, and who, under the more euphonious family-name of Sir Alan, is the hero of Sir Walter Scott's drama of "Halidon Hill." Sir John's father, a preceding laird of Swinton, had been carried prisoner to England by Oliver Cromwell, and, as a penalty for his involuntary presence with the rebel army at the battle of Worcester, had incurred a forfeiture of his estate. He afterwards rose to high favour with the Protector, and was one of his Commissioners for the administration of justice in Scotland. After the restoration of Charles II., the decree of forfeiture was confirmed; and Swinton retired to Holland, whence his son returned, after the Revolution, to obtain from the justice of King William the restitution of his family property, and ornament a field near the mansion-house with a metal statue of the Fighting Gladiator, still to be seen there. His proceed-

1651.

1657.

ings, and especially his matrimonial projects after his first wife's death, seem to have been regarded with great interest by his Kimmerghame neighbours. Thus we find Home recording in the Diary so often mentioned, that "Swinton has gained his mistress, the Advocate's daughter, and there is a minute of a contract signed by them." A fortnight afterwards, he writes, that the lady has told her lover that, "though she will obey her father in what he commands her, yet if the thing be left to her own choice, and death were laid in one balance, and he in the other, she would rather choose death." And though, after this plain speaking, Swinton is said to be "still courting her" on the 10th of November, we find him married, on the 17th of February following, to another lady, Mrs Anne Sinclair, daughter of Sir Robert Sinclair of Longformacus. The eldest daughter of this marriage was Sir Walter Scott's grandmother. The second was Mrs Margaret Swinton, by whose tragical death, by the hand of her maid-servant in a sudden access of insanity, Sir Walter tells us, "the first images of horror from the scenes of real life were stamped upon his mind," and from whose lips he gathered the

materials of the tale entitled "Aunt Margaret's Mirror." Those conversant with the mighty Minstrel's life and writings, know how kindly he felt towards his kinsfolk of the Merse. And it may be mentioned as a circumstance which deeply interested him, that, through the Sinclairs, he was fifth in lineal descent from Sir William Alexander, Earl of Stirling, who obtained considerable celebrity both as a poet and a statesman; though he is probably best known, in modern times, from the audacious attempt made, a few years ago, to support, by forged documents, a claim of succession to his earldom.

A grandson of the marriage between Sir John Swinton and Anne Sinclair was Lord Swinton. Of him it has been said by an excellent judge of character, who "knew him as much as a youth can know an old man," "He was a very excellent person, dull, mild, solid, and plodding. It is only a subsequent age that has discovered his having possessed a degree of sagacity for which he did not get credit while he lived. So far back as 1765 he published an attack on our system of Entails; in 1779 he explained a

[illegible] uniform standard of weights and measures [illegible] in 178[illegible] he put into considera- [illegible] of regulating the Court of Session [illegible] that one and of introducing [illegible] civil causes. [illegible] these [illegible] and Lord [illegible] have [illegible] place, but they were then visions [illegible] and his anticipation of them, in [illegible] ever heard, he has to asso- [illegible] very honourable to his thoughtfulness and [illegible]. Lord Swinton died on the [illegible] of January 1799. He was succeeded by his eldest son, for many years Sheriff of Berwickshire. On the death of his son in 18[illegible] the estate of Swinton was sold for the first time in seven hundred years. Fortunately a purchaser was found in a younger branch of the family.

[illegible] years before Lord Swinton's death [illegible] grave closed over a person of considerable eminence, whose residence for fourteen years on the paternal estate of [illegible] in the parish of [illegible] entitles me to rank him as a Berwickshire man, though he was born, and lived in Edinburgh. I refer to

Dr James Hutton, justly designated by a very competent living authority,* as "no ordinary thinker, in natural philosophy, as well as in geology and metaphysics." The same author informs us that, "besides his 'Theory of the Earth,' which will ever bear his name, and which, after various transmutations in name and form, is now by far the most widely prevalent, his theory of Rain was an ingenious and important speculation;" and "he was also one of the first who drew conclusions from the temperature of springs, with regard to change of climate, due either to increased latitude, or to increased height above the sea." It is perhaps equally interesting, as connected with the Philosopher's local fame, to know, that having spent some time in Norfolk, for the purpose of studying agriculture, "in the school which was then reckoned the best," he brought thence a ploughman, who set the first example of good tillage which had been seen in Berwickshire. Thus, as his biographer observes, "Dr Hutton has the credit of being one of those who introduced the new

* Professor Forbes' Dissertation in the eighth edition of the *Encyclopædia Britannica.*

husbandry into a country, where it has since made more rapid advances than in any other part of Great Britain."

To the same age and neighbourhood belonged John Brown, the son of a labouring man in the village of Preston,* who was educated at the parish school of Dunse, under the severe, but salutary discipline of its then master, William Cruickshank. Originally a weaver's apprentice, and afterwards, at thirteen years of age, an usher under his former pedagogue, he became ultimately an M.D. of Edinburgh, and a teacher and writer on medicine. The theory which he propounded, and which is still known as the Brunonian system,† has at least the merit of extreme simplicity—dividing all the diseases which flesh is heir to into two classes; for one of which it prescribes bleeding, low diet, and similar remedies; and for the other, stimulants of various kinds and degrees. I am

Born 1735.

* A "Sketch of the Life and Doctrines of Dr Brown," from the German Journals, contained in the *Edinburgh Medical and Surgical Journal* for 1807, vol. iii. p. 499, tells us that he "was born of poor parents in the neighbourhood of Glasgow." But this is certainly a mistake.

† *Cyclopædia of Practical Medicine*, vol. ii. p. 160.

told that "this doctrine, though not received very warmly in this country, spread with incredible celerity over the continent of Europe, especially in Germany and Italy, where it still continues to influence, more or less, the practice of medicine." By another authority I am assured, that "the practical result of the Brunonian doctrine was, that almost all diseases came to be treated by means of whisky."

"Who shall decide when doctors disagree?"

One thing, I fear, is certain, namely, that the author of the system was himself fatally addicted to what is thus represented as his favourite panacea; and that his death, at the age of fifty-three, was hastened by excess, and consequent pecuniary difficulties.

Oct. 7, 1788.

A pupil, whose name does more credit to the Dunse school, and Mr Cruickshank, was Thomas M'Crie, the well-known author of the Lives of Knox and Melville. He was born at Dunse in 1772. His father was a merchant in that town, and also owner of a small property in the neighbourhood of Coldingham. His mother belonged to the race of Hoods, well known among Berwickshire farmers for worth and intelligence. No one

acquainted with the works I have mentioned, can fail to acknowledge the skill and fidelity with which the characters and actions of the great Reformers are depicted by a genius in zeal, piety, and manly independence, nearly akin to their own. And the memory of Dr M'Crie must ever be held in grateful remembrance by all classes of Scottish Presbyterians.

Nor is the great English seat of Episcopal learning without its obligations to the town that produced the biographer of Knox. Another native of Dunse, Dr Abraham Robertson, was, for some years previous to his death in 1826, Professor of Astronomy at Oxford. The story of his rise in life is very singular. In early youth, I believe, he travelled the country as a pedlar. Finding his way to Oxford, he was engaged as servant to a medical practitioner. The tradition of the University ascribes the discovery of his proficiency in Physical Science to a whispered remark, from behind his master's chair, on some topic under discussion at a dinner-party. Another account attributes his removal from the kitchen to the college, to the assistance he secretly gave the son of the family in the

preparation of his school tasks. In one way or other he recommended himself to the notice of Cyril Jackson, at that time Dean of Christ Church, by whom he was admitted to that house as a servitor. His own talents and industry did the rest.

The mention of men who were living within our own memory, reminds me that I have approached near enough to the present times. But for this, reference might be made to other Mersemen, who have distinguished themselves in various walks of life. The *Morning Chronicle* was edited with great ability, for a quarter of a century, by John Black, who was born, in 1783, in a hind's cottage a few miles from Dunse. That town also produced James Cleghorn, the first editor of *Blackwood's Magazine.* I recollect a Dunse man private secretary to the Prime-minister, and a Ladykirk farmer holding the same position under the great Duke of Wellington. We have also seen a Lord Mayor of London,* who, occupying the chair of Whittington, confessed, I doubt not, in his inmost heart, that "Dunse dings a'."

1819 to 1844.

* Sir John Pirie, Lord Mayor of London in 1842, was a native of Dunse.

Chalmers, in his *Caledonia*, calls attention to the fact that, in his day, "four of the Professors of Edinburgh University were contributed by the vigorous people of Berwickshire."* I pause not to inquire how it is now as to the Professors; though I cannot forget that this district claims an interest in the last of the eminent race of Monro,† and also in a very able and successful teacher of the science of agriculture.‡ But I know well that, as respects students, a more than proportional share of academical honours is usually carried off, each year, by sons of the Merse. This is mainly to be attributed to the zeal and ability of our parochial schoolmasters. An individual of that valuable class, whom I have often seen in the exercise of his vocation, had the merit of converting a gardener's boy, at Ayton, into a learned and laborious Professor of Greek.§ Nor is this the only example which

* The four referred to are Alexander Christison, Professor of Humanity; George Dunbar, Professor of Greek; David Hume, Professor of Scots Law; and Robert Blair, Professor of Astronomy.

† Dr Alexander Monro, late Professor of Anatomy in the University of Edinburgh, proprietor (till he disponed it to his son) of the estate of Cockburn, in the parish of Dunse.

‡ David Low of Laws, in the parish of Whitsome.

§ John Strauchon, in 1814, and for more than twenty years

that calling has given us, of a successful cultivator of the flowers of literature. For, from the garden at Kelloe, and aided by the benevolent kindness of its late lamented owner, Robert Fortune went forth, to penetrate farther into China than European foot had ever before trod,* and to obtain, and communicate, an insight into the habits and manners of the dwellers in the Celestial Empire, which must have excited the envy of the bellicose member of the Peace Society, whose ambition to follow a similar course has occasioned the Chinese War. I had expected to be able to close my list with the prince of modern gardeners—the very King of Spades—who, for his ability as the designer of two Crystal Palaces, has received the singular reward —I will not say, of being sent to Coventry—but of being sent by Coventry to Parliament. But I have it on the best authority, that Sir Joseph

thereafter, parish schoolmaster at Swinton, was a man of singular ability and learning. When George Dunbar, afterwards Professor of Greek in the University of Edinburgh from 1805 till 1851, met with the accident which led him to cultivate classical learning, Strauchon, then a teacher in the parish of Ayton, was his instructor.

* See his *Three Years' Wanderings in the Northern Provinces of China*, 1847; and *Visit to the Tea Districts of China and India*, 1852.

Parton was born at Wilton in Roxburghshire, and that his father also was an Englishman: though his grandfather was a native of Scotland, —I believe of Berwickshire.

My catalogue is exhausted. One word by way of moral to my tale. Of some of those whose characters I have endeavoured to sketch, it may be said, in the words of the poet—

> "Lives of great men all remind us,
> We can make our lives sublime,
> And, departing, leave behind us
> Footprints on the sands of time—
> Footprints, which perhaps another,
> Sailing o'er life's solemn main,
> A forlorn and shipwrecked brother,
> Seeing, may take heart again."

Others of whom I have spoken, cannot be called, in any sense of the word, great men. But there are few of them, from the narrative of whose lives some lesson may not be learned, either of encouragement or of warning. Surprise has often been expressed at the suddenness with which, almost within the limits of a generation, the land in which we dwell started, from being the haunt of Border thieves and caterans,

into one of the fairest and most fruitful districts of Scotland, and our ignorant and half-barbarous ancestors became the fathers of statesmen and authors. Be it ours to show, that the progress of improvement is not stayed; and by the grateful and assiduous cultivation of the advantages which Providence has placed within our reach, let us endeavour to prove ourselves not altogether unworthy of the superior knowledge we possess, and the higher measure of civilisation of which we have been privileged to partake.

THE END.

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